

Article - Estates and Trusts

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§13–105.

(a) (1) The orphans' courts and the circuit courts have concurrent jurisdiction over guardians of the person of a minor and over protective proceedings for minors.

(2) Upon petition of an interested person, a matter initiated in the orphans' court may be transferred to the circuit court.

(b) Subject to Title 13.5 of this article, the circuit courts have exclusive jurisdiction over protective proceedings for disabled persons.

(c) (1) An orphans' court may exercise jurisdiction over guardianship of the person of a minor if the presiding judge of the orphans' court is a member of the bar, regardless of whether the minor who is the subject of the petition for guardianship of the person has property, may inherit property, or is destitute.

(2) An orphans' court that exercises jurisdiction or is requested to exercise jurisdiction under this subsection may:

(i) Transfer the matter to the circuit court on a finding that the best interests of the child require utilization of the equitable powers of the circuit court; and

(ii) Waive the costs, if any, of a transfer under this paragraph.

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